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09/849,695	05/04/2001	Jonathan K. Black	20705.006US	8186

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EXAMINER

WONG, LESLIE

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/849,695.

**Applicant(s)**

BLACK ET AL.

**Examiner**

Leslie Wong

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The disclosure is objected to because of the following informalities: the word "whishing" on page 2, line 28 appears to have a typographical error.

Appropriate correction is required.

3. When acronyms are used, they should be defined upon first use. In the specification, there are instances where an acronym is used and never define. See page 6, lines 9, 10, 25, and 30 for acronym "CVO" and page 3, line 25 for acronyms "DNA" and "DMV". See 35 USC 112(1) and 37 CFR 1.179(a). Correction is required.

4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code: **getproof.com** on page 9, line 14. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. Alternatively, Applicant may place the angle brackets (i.e., <>) around the link.

***Drawings***

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

- a). obtaining information from at least one information source, wherein updated information is obtained automatically on a predetermined periodic basis from the at least one information source;
- b). inputting the information into a relational database within a predetermined time from when the information is obtained from the at least one information source, wherein the information contained in the database is constantly replaced by the new information;
- c). sorting the information into at least one searchable unit within the database;
- d). allowing at least one entity access to the information contained in the database.
- e). at least one information source is selected from the group consisting of government agencies, professional organizations, courts, educational institutions, licensing bodies, certification bodies, and legal business entities.
- f). at least one entity receives upon request information from the database regarding a number of discrete individuals identified by the at least one entity to the database.

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g). at least one entity automatically on a periodic basis receives information from the database regarding a number of discrete individuals identified by the at least one entity to the database.

h). a flowchart to illustrate methods of the present invention.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 21-27, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by **Newman et al.** (U.S. Patent 6,571,214 B2).

Regard claim 21, **Newman et al.** further teaches a method for collecting and providing information about individuals comprising the steps of:

a). obtaining information about individuals from at least one information provider (col. 1, lines 47-56 and col. 5, lines 46-60);

- b). entering the information about individuals into a relational database (col. 1, lines 21-35);
- c). providing access to the relational database to at least one interested entity (col. 5, lines 35-40 and col. 5, line 61 – col. 6, line 9);
- d). obtaining updated information about individuals from the at least one information provider (col. 5, lines 5-20);
- e). comparing the updated information about individuals to the information entered into the relational database (col. 5, lines 51-55);
- f). replacing the information entered into the relational database with the updated information about individuals if the updated information about individuals is more recent than the information entered into the relational database to create an updated relational database (col. 5, lines 47-55);
- g). repeating steps d through f as additional updated information about individuals is obtained from the at least one information provider (col. 5, lines 47-55).

Regarding claims 22-27, **Newman et al.** further teaches wherein the information about individuals is obtained from the at least one information provider on a continuous basis when updated information about individuals is available and the relational database is provided to the at least one interested entity on a continuous basis (col. col. 5, lines 47-55 and col. 6, lines).

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Regarding claim 29, **Newman et al.** further teaches wherein the database is owned by a database owner and wherein a payment is made by the database owner to the at least one information source for the provision of information about individuals, and wherein a payment is made by the at least one interested entity to the database owner for being provided the information about individuals (col. 5, line 61 – col. 6, line 11).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-20, 28, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Newman et al.** (U.S. Patent 6,571,214 B2) in view of **Spurgeon** (U.S. Patent 5,890,129).

Regarding claims 1 and 11, **Newman et al.** teaches a method of creating a relational database comprising the steps of:

a). obtaining information from at least one information source, wherein updated information is obtained on a predetermined periodic basis from the at least one information source (col. 1, lines 47-56 and col. 5, lines 46-60);

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b). inputting the information into a relational database within a predetermined time from when the information is obtained from the at least one information source, wherein the information contained in the database is constantly replaced by the new information (col. 1, lines 21-35);

c). sorting the information into at least one searchable unit within the database (col. 5, lines 13-17); and

d). allowing at least one entity access to the information contained in the database (col. 5, lines 35-40 and col. 5, line 61 – col. 6, line 9).

**Newman et al.** does not explicitly teach a step of updated information is obtained **automatically** on a predetermined periodic basis from the at least one information source.

**Spurgeon**, however, teaches a step of updated information is obtained **automatically** on a predetermined periodic basis from the at least one information source (col. 4, lines 7-10, col. 3, lines 27-39).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to allow automatic update without human intervention as doing so would enable updates made directly, accurately, and automatically by the software (col. 4, lines 50-55). Thus, it would eliminate opportunities for errors and miscommunications via manual entry.



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Regarding claims 2 and 14, **Newman et al.** further teaches wherein the information is personal information about at least one individual (col. 5, lines 13-17).

Regarding claim 3, **Newman et al.** further teaches wherein the at least one information source is selected from the group consisting of government agencies, professional organizations, courts, educational institutions, licensing bodies, certification bodies, and legal business entities (col. 1, lines 47-61).

Regarding claim 4, **Spurgeon** further teaches wherein the information is replaced by new information as soon as the new information becomes available (col. 4, lines 7-10, col. 3, lines 27-39).

Regarding claim 5, **Newman et al.** further teaches the step of allowing at least one individual to access the database to review personal information about the at least one individual (col. 5, lines 56-60).

Regarding claims 6 and 15, **Newman et al.** further teaches wherein the information is provided proactively from the at least one information source (col. 5, lines 46-60).

Regarding claim 7, **Newman et al.** further teaches wherein the information is verified by the at least one information source (col. 1, lines 47-61).

Regarding claim 8, **Newman et al.** further teaches wherein the information is verified by an independent party (col. 7; lines 1-13).

Regarding claims 9, 10, 16-18, and 28, **Spurgeon** further teaches wherein the at least one entity automatically on a periodic basis receives information from the database regarding a number of discrete individuals identified by the at least one entity to the database (col. 2, lines 64-67; col. 4, lines 7-10 and 50-55, col. 3, lines 27-39, and col. 8, lines 42-57).

Regarding claims 12 and 13, **Newman et al.** further teaches wherein the database is owned by a database owner and wherein a payment is made by the database owner to the at least one information source for the provision of information about individuals, and wherein a payment is made by the at least one interested entity to the database owner for being provided the information about individuals (col. 5, line 61 – col. 6, line 11).

Regarding claim 19, **Newman et al.** further teaches wherein the at least one entity receives upon request information from the database regarding a number of discrete individuals identified by the at least one entity to the database (col. 5, lines 5-11).

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Regarding claim 20, **Spurgeon** further teaches wherein the at least one entity obtains the information about the at least one individual from the database for the purpose of determining whether the at least one entity desires to create, maintain or terminate a relationship with the at least one individual (col. 8, lines 42-57).

Regarding claim 30, **Newman et al.** does not explicitly teach wherein the information is obtained automatically from the at least one information source and wherein the updated information is provided automatically to the at least one interested entity.

**Spurgeon**, however, teaches wherein the information is obtained automatically from the at least one information source and wherein the updated information is provided automatically to the at least one interested entity (col. 4, lines 7-10, col. 3, lines 27-39; and col. 8, lines 42-57).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to allow automatic update without human intervention as doing so would enable updates made directly, accurately, and automatically by the software (col. 4, lines 50-55). Thus, it would eliminate opportunities for errors and miscommunications via manual entry.

Regarding claim 31, **Newman et al.** does not explicitly teach wherein the at least one interested entity automatically on a periodic basis receives information from the

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database regarding a number of discrete individuals identified by the at least one interested entity to the database.

**Spurgeon**, however, teaches wherein the at least one interested entity automatically on a periodic basis receives information from the database regarding a number of discrete individuals identified by the at least one interested entity to the database (col. 4, lines 7-10, col. 3, lines 27-39).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to allow the interested entity to automatically receives update information about specific individuals in order for the entity to have access to the most update-to-date information regarding the individuals. Consequently, it would facilitate credential or profile validation processing.

Regarding claim 32, **Newman et al.** does not explicitly teach wherein the at least one interested entity obtains the information about the at least one individual from the database for the purpose of determining whether the at least one interested entity desires to create, maintain or terminate a relationship with the at least one individual.

**Spurgeon**, however, teaches wherein the at least one interested entity obtains the information about the at least one individual from the database for the purpose of determining whether the at least one interested entity desires to create, maintain or terminate a relationship with the at least one individual (col. 8, lines 42-57).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to obtain the information about the individual from the database for

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the purpose of determining whether the interested entity desires to create, maintain or terminate a relationship with the individual in order for the entity to process the information efficiently and accurately.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Tarter et al.** (U.S. Patent 5,550,734)

**Ghosh et al.** (US 2001/0032094 A1)

**Goldenberg** (US 2002/0065682 A1)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is (703) 305-3018. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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Leslie Wong  
Patent Examiner  
Art Unit 2177

lw  
July 14, 2003



JEAN R. HOMERE  
PRIMARY EXAMINER